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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,289	10/30/2000	Eva Chen	TRNDP004	1429

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EXAMINER	
JACK, TODD M	

ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/702,289	CHEN ET AL.	
	Examiner	Art Unit	
	Todd M Jack	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 May 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *detailed action.*

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hailpern et al. (6,275,937 B1) in view of Trcka (6,453,345).

Claim 1: Hailpern teaches that all proxies and clients in hierarchy access information from content servers connected to the Internet (col. 7, lines 18-22) and firewall isolated intranets are customized (col. 7, lines 27-29) to discourage but not eliminate the possibility that client computers may be potentially infected, a processor indicating a virus checking program such as IBM Anti Virus or Microsoft Anti-Virus (col. 11, lines 39-55) and members of Postponable are virus checked, suggesting that anti-virus scanning is accessible via the network (col. 16, lines 25-37), a Request Rate Database provides for storage, update and retrieval of the historical information of the number of times the server has received requests for a particular process to be applied to a particular piece of data (col. 9, lines 12-22), a server which processes and caches cross-references URLs and requested process with a number—this database server may maintain and provide access to additional information (col. 9, lines 23-41), and a Dangerous Source Database provides for storage, update, and retrieval of historical information regarding which content sources have delivered virus-infected data (col. 9, lines 41-51). Hailpern

fails to teach a virus tracking display mode accessible by a tracking user from the virus-tracking server, the display mode providing real-time updates of virus information pertaining to the scan logs. Trcka teaches an object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for display of report data from the analysis applications (col. 18, lines 62-66). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by displaying the occurrence of viruses in order that an individual can easily recognize a viral threat to their computer system.

Claim 2: Hailpern fails to teach a tracking user from the virus-tracking server, the display mode provides real-time updates of virus information pertaining to the scan logs. Trcka teaches an object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for display of report data from the analysis applications (col. 18, lines 62-66). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by providing for a display of the virus-tracking information in association with graphs, lists, and tables.

Claim 3: Hailpern fails to teach display modes include a plurality of web pages with user selectable menus to configure the virus-tracking display on the pages. Trcka teaches displaying a surveillance data processing module enables authorized users to

interactively analyze and manipulate traffic data through a powerful analysis tools. This includes displaying user specified types of network events, conducting pattern searches of selected packet data, reconstructing transaction sequences, and identifying pre-defined network problems (col. 13, lines 16-19). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by providing for web page selections to track specific viruses.

Claim 4: Hailpern fails to teach a scan log contains no information relating to the direct identification of the client user. The automated monitor can be configured to generate a log file of specific types of events, such as unsuccessful logon attempts (col. 17, lines 37-43). However, no mention is made of the direct identification of the client user. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by preserving the privacy of the client user.

Claim 5: Hailpern fails to teach that the scan log includes the name of the virus, the frequency of its occurrence, and the geographic location of the infected computer. Trcka teaches any of a variety of known security checks can be performed on the packet data at this stage. Virus checking can be performed on all incoming FTP and HTTP files from unknown sites (col. 14, lines 60-67 and col. 15, lines 1-4). It would have been obvious to a person having ordinary skill in the art at the time of the invention

was made to modify Hailpern's collaborative server by presenting a tracking scan log with virus information of interest to a client user.

Claim 6: Hailpern fails to teach a servlet program on the virus-tracking server is used to receive the scan log information from the at least one anti-virus scanning server. Trcka teaches the report generation module includes object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for the display of report data from the analysis applications (col. 18, lines 62-67 and col. 19, lines 1-5. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing for the download of files to a program for anti-virus software.

Claim 7: Hailpern fails to teach a polling program is used to regularly retrieve virus-tracking information from the database server and store it in a data object. Trcka teaches types of reports that can be generated using this application include the following: individual user activity; application activity; transaction activity; logons; and unauthorized access to restricted files and databases (col. 20, lines 13-17). These processes are used to track the viruses. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing for the polling of requested virus information and presenting it to the client user for installation of appropriate anti-virus programs in one's computers.

Claim 8: Hailpern fails to teach a common gateway interface program used to retrieve the data object for display by the tracking user. Trcka teaches traffic capture components, which run continuously in the background, to passively generate a data stream that represents the traffic present on the network (col. 10, lines 60-66). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by reporting and logging information about viruses tracking for the client user in order that the client may utilize the information to deploy anti-virus programs.

Claim 9: Hailpern fails to teach a Java applet running on tracking user browser is used to display a real-time virus-tracing map. Trcka teaches three general types of software components run on the controller for the purpose of processing traffic data (col. 10, lines 59-60). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by adding a Java applet to decrease the CPU/modem time required to communicate with the server.

Claim 10: Hailpern fails to teach the client user is also the tracking user. Trcka teaches from the screens, the user can specify such parameters as start time/date, end time/date, the types of events of interest. The user can specify search criteria and specific fields to be searched and can specify an output type of the display screen, the printer, or the file. (col. 20, lines 5-12) It would have been obvious to a person having

ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing the client user to also be the user, thus allowing individuals to set-up web sights and protect their computer from viruses by use of the allowed operations.

Claim 11: Hailpern fails to teach the distributed computer network of includes the Internet. Trcka teaches connecting the internal network to the Internet can have devastating consequences (col. 1, lines 29-32). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by using the Internet to access live information.

Claim 12: Hailpern teaches to discourage but not eliminate the possibility that client computers may be potentially infected, a processor indicating a virus checking program such as IBM Anti Virus or Microsoft Anti-Virus (col. 11, lines 39-55) and members of Postponable are virus checked, suggesting that anti-virus scanning is accessible via the network (col. 16, lines 25-37), a Request Rate Database provides for storage, update and retrieval of the historical information of the number of times the server has received requests for a particular process to be applied to a particular piece of data (col. 9, lines 12-22), a server which processes and caches cross-references URLs and requested process with a number—this database server may maintain and provide access to additional information (col. 9, lines 23-41). Hailpern fails to teach providing an anti-virus scanning program on at least one anti-virus scanning server accessible via the

distributed computer network, processing the scan log information into virus tracing information and storing it on a database server associated with the virus-tracking server, and retrieving the virus tracing information, and displaying a real-time trace on a tracking user device. Trcka teaches virus checking can be performed on all incoming FTP and HTTP files from unknown sites (col. 14, lines 62-67) To analyze the data, it is passively capture (col. 5, lines 1-4). Trcka teaches the audit application presents the user with a set of display screens, which allow the user to specify various settings, and parameters for selectively viewing and generating audit trails from the archived traffic data. From these screens, the user can specify such parameters as start time/date, end time/date, and the type of events of interest. (col. 20, lines 1-17) It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by tracing the virus information and storing it so the analysis could be used to stop and prevent the virus from infecting computers.

Claim 13: Hailpern fails to teach a tracking user from the virus-tracking server, the display mode provides real-time updates of virus information pertaining to the scan logs. Trcka teaches the Report Generation Module includes object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for the display of report data from the analysis applications (col. 18, lines 62-66). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by providing for a display of the virus-tracking information in association with geographical locations.

Claim 14: Hailpern fails to teach display modes include a plurality of web pages with user selectable menus to configure the virus-tracking display on the pages. Trcka teaches the Surveillance Data Processing Module is to enable authorized users to interactively analyze and manipulate pre-recorded traffic data through a set of powerful analysis tools (col. 13, lines 16-19). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by providing for web page selections to track specific viruses.

Claim 15: Hailpern fails to teach a scan log contains no information relating to the direct identification of the client user. Trcka teaches the generation of a log file of specific events, such as unsuccessful logon attempts (col. 17, lines 37-43). No information about direct identification of the client user is mentioned. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by preserving the privacy of the client user.

Claim 16: Hailpern fails to teach that the scan log includes the name of the virus, the frequency of its occurrence, and the geographic location of the infected computer. Trcka teaches the report generation module includes Report Generation Module includes object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for the display of report data from the analysis applications (col. 18, lines 62-66). These display formats are suited for the

presentation of the name of the virus, frequency of occurrence, and geographical location. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by presenting a tracking scan log with virus information of interest to a client user.

Claim 17: Hailpern fails to teach a servlet program on the virus-tracking server is used to receive the scan log information from the at least one anti-virus scanning server. Trcka teaches the report generation module includes object class libraries for allowing the user to select between a variety of display formats, including various graphs, lists, and tables for the display of report data from the analysis applications (col. 18, lines 62-67 and col. 19, lines 1-5). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing for the download of files to a program for anti-virus software.

Claim 18: Hailpern fails to teach a polling program is used to regularly retrieve virus-tracking information from the database server and store it in a data object. Trcka teaches examples of the types of reports that can be generated using this application include the following: individual user activity, application activity, socket activity, transaction activity, logons, and unauthorized accesses (col. 20, lines 13-17). This generation process may retrieve virus information and store it for later access. It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing for the polling of

requested virus information and presenting it to the client user for installation of appropriate anti-virus programs in one's computers.

Claim 19: Hailpern fails to teach a common gateway interface program used to retrieve the data object for display by the tracking user. Trcka teaches traffic capture components, which run continuously in the background, to passively generate a data stream that represents the traffic present on the network (col. 10, lines 60-66). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by reporting and logging information about viruses tracking for the client user in order that the client may utilize the information to deploy anti-virus programs.

Claim 20: Hailpern fails to teach a Java applet running on tracking user browser is used to display a real-time virus-tracing map. Trcka teaches three general types of software components run on the controller for the purpose of processing traffic data (col. 10, lines 59-60). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by adding a Java applet to decrease the CPU/modem time required to communicate with the server.

Claim 21: Hailpern fails to teach the client user is also the tracking user. Trcka teaches from the screens, the user can specify such parameters as start time/date, end time/date, the types of events of interest. The user can specify search criteria and

specific fields to be searched and can specify an output type of the display screen, the printer, or the file. (col. 20, lines 5-12) It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by allowing the client user to also be the user, thus allowing individuals to set-up web sights and protect their computer from viruses by use of the Tracking Center.

Claim 22: Hailpern fails to teach the distributed computer network of includes the Internet. Trcka teaches connecting the internal network to the Internet can have devastating consequences (col. 1, lines 29-32). It would have been obvious to a person having ordinary skill in the art at the time of the invention was made to modify Hailpern's collaborative server by using the Internet to access live information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M Jack whose telephone number is 703-305-1027. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady, can be reached 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

Todd Jack
August 03, 2004

ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100